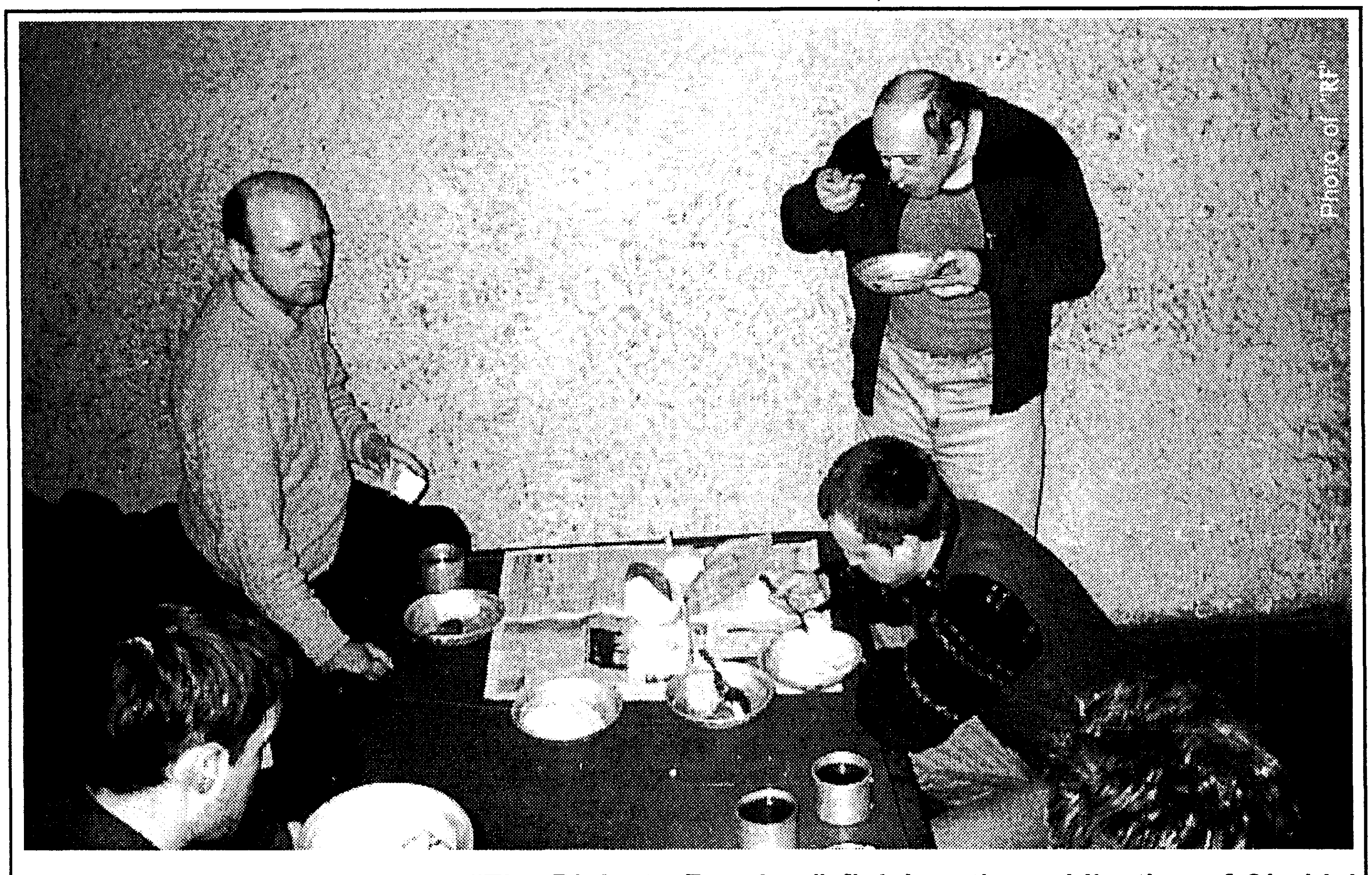
№ 12(60)
June 2000

The Right to Freedom

The Bulletin of the Human Rights Centre "Viasna"



Supper in Akrescina Detention Center

"The Right to Freedom" finishes the publication of Siarhiej Pjanych's notes about the events of March 25, 2000 in Miensk with the unique pictures, taken in the well-known and many times described Akrescina Detention Center. One of the pictures: "The Last Supper in Akrescina Way" is in front of you...You can read the notes on page 8 of the bulletin.

"Be careful about your views..."

Belarusian special services apply more and more pressure on politically and publicly active citizens

More and more people lately apply to the human rights center "Viasna", stating that Belarusian special services apply psychological pressure on them and their relatives.

On June 21 Alaksiej Lapicki applied to "Viasna". Alaksiej Lapicki is a resident of Zhodzina town (Miensk region). He informed "Viasna" that during the last 7-8 days local KGB office attacked him and his family by constant phone calls. KGB officers insisted on the necessity to meet A. Lapicki in order to clarify something, though they refused to say what they were interested in and in what role he was invited to come. Eventually, as the phone calls made no use, Alaksiej received a notification, saying that he had to come to the local KGB office "in order to give clarifications", but the issue, on which he had to give clarifications on, was again not mentioned. Alaksiej Lapicki is sure, that KGB pays so much attention to him because of his public and political activity. He as the head of the local branches of Belarusian Language Society, Belarusian Popular Front, Belarusian Youth Association "Licviny", as well as the publisher of the independent bulletins "My — Licviny" and "Skolny Vesnik". Alaksiej also states, that the local KGB office collects information about all schoolteachers, who have Belarusian Language Society membership.

Aryja Hatalskaja, who first applied to the center in May, also claims experiencing high pressure from KGB. Aryja studied on the journalistic faculty, worked in the "Cyrvonaja Zmiena" newspaper for some time, and was a member of Belarusian Students Association. At the present moment she works as a layout artist and continues to study. In the application Aryja told us about the events that happen to her lately. For instance, she learned that the administration of the dormitory, where she lives (the one of the Belarusian Polytechnic Academy), was visited by KGB officers. The superintendent, the passport officer, the accountant of the dormitory all had talks with KGB guys, who wanted to collect information about Aryja. The dormitory administration insisted that Aryja should go to the Belarusian Polytechnic Academy authorities, where she was directed to the room of the Academy Security Service. The security service officer told her, that if KGB were not interested in her, they wouldn't even know that she lives in that dormitory. (People are not supposed to live in a dormitory, belonging to the institution they are not students of – *a remark of the translator*) The conversation, as it was found out later, had been recorded. Also the protocol of the conversation was drawn up. After Aryja put her signature on every sheet of the protocol, the investigator Kanapacki mentioned off the record: "Be careful about your views...» Aryja Hatalskaja thinks that these events cannot be explained by a simple coincidence, and that she really is in danger of loosing her job, her studies, and her housing because of her citizen position, political views and participation in mass protest actions.

Information Department of HRC "Viasna"

Chronicle

In June **the trial in Piersamajski district court of Miensk city has finally put an end to the argument between the journalist J. Biaklemisau and the Belarusian TV channel. The journalist filed a suit against the direction of the Belarusian Television & Radio Company, claiming that they should employ him again. J. Biaklemisau was illegally dismissed from his job on March 9, after he invited the well-known movie-director Jury Chascavacki as a guest to his program (Chascavacki is the author of the "Just a President", a movie about Lukashenka). After the journalist filed a lawsuit, the television direction proposed an agreement on the following conditions: J. Biaklemisau doesn't claim re-employment and files an application for dismissal dated June 14, and the company direction pays him the average salary for all the time he was not working. J. Biaklemisau agreed, because he doesn't want to work on Belarusian TV any more, because of his moral and ethical principles.**

In the beginning of June **Russian human rights defenders, among whom there were V.Gefter, M.Arutyunov, E.Bonner, made a statement, which deals with the wave of robberies in the offices of the Belarusian human rights organizations. One after one, the organizations Belarusian Helsinki Committee (December 1999), "Legal Assistance to Citizens" (May 2000), "Center of Human Rights" (May 2000) suffered from the robberies, that seem to have the same scenario. Russian human rights defenders concluded that the robberies were not just a mere coincidence, more so that the time and the addressees closely connected them with the active public actions of these organizations.**

(To be continued on p. 6)

LEFT ON THEIR OWN...

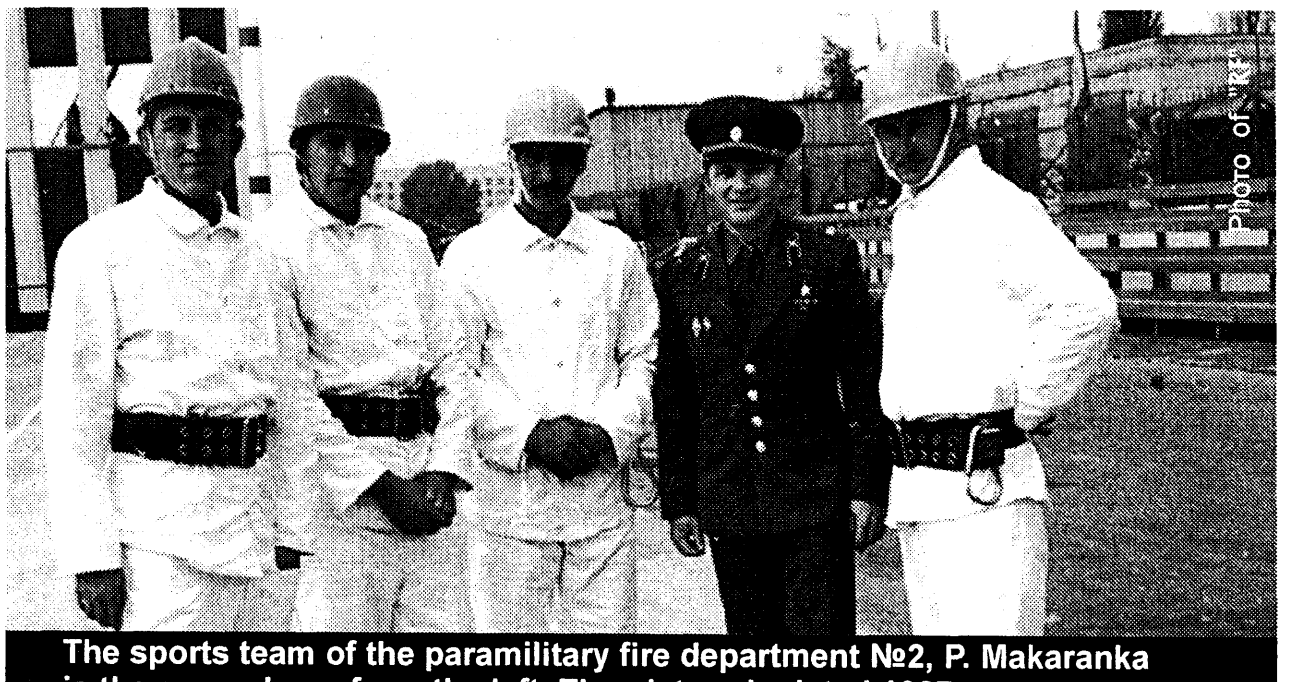
BELARUSIAN STATE DOES NOT WANT TO CARE ABOUT HER CHILDREN, WHO AT THE COST OF THEIR LIVES SAVED EUROPE IN 1986...

Piotr Makaranka was only 25 at the time of that terrible catastrophe on Chernobyl nuclear plant. He lived with his family (wife and a 2-year-old son) in a small town of Prypiac, just 3 km away from Chernobyl nuclear station. He worked in a fire department # 2, which was responsible for protection of the station. The town of Prypiac is situated on the Belarusian—Ukrainian border, and about 30% of the fire crew were Belarusians. These people were the first ones to stand in the gap of liquidation of disaster consequences. Piotr Makaranka asked the human rights center "Viasna" to help him spread his appeal...

On the morning after the disaster lance sergeant of the internal service Piotr Makaranka was at work at 7 a.m. At that time he was already working on the liquidation of the disaster and actually stayed there till April 30. During these days he to spend a lot o time just in 100 meters from the blown-up reactor. Piotr says, that the people, who had to go through that together with him, were fully aware of the immensity of the disaster and the danger of the consequences. They knew that after being exposed to such radiation, they would be able to live no more than a month and they accepted their fate. It seemed, that month is really a lot... Many people, who were together with Piotr at that time, are dead today. The first 6 people, who received the highest dose of radiation, are buried in Moscow. A friend of Piotr, who worked together with him, is buried in Brahin district; there is a monument to him in his home village. Those, who were lucky to survive, are very sick now.

After the half a year of uncertainty and roam, Piotr with his family, as well as his coworkers received apartments in the town o Bielaja Carkva (Kyiv district). Piotr was very homesick, he couldn't psychologically adapt himself to the Ukrainian prairies. In three years Piotr moved to Homiel, then to Miensk, where he continued to work on his speciality. Year after year his health was worse and worse; soon the Ministry of Internal Affairs medical commission stated his disablement. Major Piotr Makaranka was fired from his post of the head of the fire department #18 in 1999 on the ground of poor health. Strange things started to happen – when before, as a person, whose disablement was caused by Chernobyl disaster, he was getting benefits, and other kind of help from the state, the present laws made it impossible. According to the present legislation, there is no causality between Chernobyl disaster and his disablement.

The new law "About the citizens, that suffered from Chernobyl nuclear station catastrophe", was adopted in 1991. According to the law, the people of this category were guaranteed certain benefits, and qualified medical care. Time passed, and the benefits were eliminated one by one. With Lukashenka coming to power, there were practically no benefits left. And the most important – the people were left without any special and free-of-charge medical care. Piotr Makaranka says that now he does not have any money for medical treatment. His pension



The sports team of the paramilitary fire department №2, P. Makaranka is the second one from the left. The picture is dated 1987.

APPEAL
OF PIOTR M. MAKARANKA THE FORMER FIREMAN OF CHERNOBYL NUCLEAR STATION PROTECTION DEPARTMENT TO THE AUTHORITIES OF THE REPUBLIC OF BELARUS; TO CONSULTATIVE-OBSERVATORY GROUP OF OSCE IN BELARUS; TO THE UN MISSION IN BELARUS; TO THE EMBASSIES OF THE UNITED STATES, GERMANY, POLAND, CZECH REPUBLIC, FRANCE AND GREAT BRITAIN

...I would like to draw attention of Belarusian authorities, and of all the international community to the problems of Chernobyl nuclear power station.

It's been enough time from the terrible night of April 26, 1986 – 14 years. This time was enough in order to deeply realize our capability, — economic, technical, medical, organizational, finally, human, — all that was revealed to us right after the Chernobyl disaster. Something, that seemed to be so important for the whole international community at that time, has now lost its severity, has hidden in the shadow. But with us it stayed forever – with those who took part in liquidation of the catastrophe consequences.

There's no precedent for this disaster. The radioactive elements, released during the explosion, were registered in all countries of the Northern Hemisphere. They greatly increased the radiation background, on the European territory, first of all. The medical data were, and still are the state secret. In 1986 it resulted in a state crime: domestic animals were evacuated before the people. The plan of meat produce procurement was a lot more important to them.

Chernobyl tragedy is a tragedy of consciousness. This is why one can see deep disregard of the problems of the people, who suffered from Chernobyl catastrophe, on the side of the President of the Republic of Belarus and other state officials. The President Alaxander Lukashenka multiply violated the legislation, by illegal changes and additions to the law "About the citizens, who suffered from the catastrophe on Chernobyl nuclear power station". Some of his decisions were canceled by the Constitutional Court, but the Ministries and other authorities don't pay attention to that. Such situation creates new problems to all. The arbitrariness of the authorities has led to the genocide of the nation. Stalin's principle "No person – no problem" proves its viability. I put a question to the President Alaxander Lukashenka, elected by the suffering people and to the Ministry of Health Protection: "Do you know, why thousands of children, born after 1986, have thyroid diseases, and cancer? The cause of these diseases is well-known, everybody knows, that radioactive iodine, which causes them, decays in 7 days".

The President Alaxander Lukashenka, by his forceful decisions deprived the liquidators and citizens, who suffered from Chernobyl disaster, of practically all benefits. The minimal benefits, which are left, are really left only on paper, for example, supply of nourishment, according to the medical norms, or free-of-charge medical care. The liquidators, most of whom looked death in the face, at the cost of their lives and health saved hundreds of thousands lives on the Earth, preserved health and welfare of millions of people. On April 28 1986 a group of liquidators, including me, met academician Legasov.Academician

is about $40, though the minimum of medicines he needs for single course of medical treatment costs $200. His son has a range of diseases, but free-of-charge medical treatment is guaranteed for him only until he is 18. Piotr's wife also suffers from a range of oncological diseases. For instance, she had to undergo a thyroid surgery. She needs medical care, but they do not have money to provide her with medicine, necessary for prevention of malignant growth. Moreover, in order to survive, they need healthy food, according to the medical norms. But at present many Belarusian families cannot afford it, let alone the disabled Chernobyl pensioners. The State turned her back on her people. They are left on their own, and have to rescue themselves.

This is the reality today. Alaxander Lukashenka travels around the Chernobyl polluted territory on the days of the disaster anniversary and tries to demonstrate compassion. But this does not help the people, who sacrificed their lives and health for the future of others. This is just a deceitful gallery play! Because now, after 14 years have passed, these people have to beg for help in order to survive. Having lost the hope to get that help from their own country, they appeal to the whole international community. Below you can read the letter of appeal of Piotr Makaranka, addressed to the consultative-observatory group of OSCE in Belarus, the UN mission in Belarus, and the Embassies of the United States, Germany, Poland, Czech Republic, France and Great Britain...

Legasov was the head of the governmental committee of the USSR. He told us then, that the firemen had saved the whole Europe. Today the liquidators and those, who suffered from disaster, are trying to gain their rights and benefits back. This means, they try to get their "right of life" back. Could it be so, that these people were not worth of help and mercy?

Earlier approximately 20% of the state's budget were used for liquidation of the disaster consequences, today the percentage is a lot lower, about 5%. Where are those left 15% going, taking into account production and gross national product growth and the fall in the living standard? Probably, they are used for reinforcement of the military power and of the regime, or for building and maintenance of huge ice palaces. Those ice palaces are built in the year's term, although the rehabilitation center for the people, who suffered from Chernobyl disaster, is being built for 10 years already, asking for voluntary help – because of the constant lack of money.

Chernobyl is a very dangerous, not yet explored to the very end, phenomenon. It's too dangerous to turn our backs on it, to forget about it, as some people want. It will not submit to the senseless and temporary rule of some officials. There is no doubt, the world will learn the names of those, who made decisions about the freezing of the Chernobyl programs, those, who aimed to hide the disaster consequences, those, who is responsible for people living on the polluted territory, for the terrible diseases of the innocent children, for early deaths of many people. They will be punished, if not by men, then by the justice of Heaven, by history.

I would like to give several examples, which happened to my family, which was evacuated from the town of Prypiac.

(Continued on page 6)

The Precedent

It took Alaksandar Scurko 7.5 months to get the judgement of acquittal and prove the injustice of his punishment after the events of October 17, 1999.



Alaksandar Scurko and his attorney Viera Stramkouskaja in the courtroom.

It all started on October 17 1999, during the infamous "great entrapment" after the "March of Freedom-1". Alaksandar Scurko was detained in the Gorky Park and, together with the others, brought to Partyzanski District Department of Internal Affairs (DDIA). The policemen composed a protocol about administrative detention allegedly for violation of article 167-1.1 of the Code of Administrative Infringement of the Republic of Belarus (active participation in an unauthorized demonstration). The trial took place on the following day, and Alaksandar was punished with 5 days in jail, although Alaksandar refused to admit his guilt, stating that he was detained by mistake, for he had not participated in the demonstration.

Having spent 5 days in prison, Alaksandar Scurko started his fight for justice. He wanted to prove his innocence and aspired after punishment of the officials, who had violated the law by detaining occasional, innocent people. In the beginning he directed his appeal to the head of Miensk city court about the decision of the district court, but it was left unchanged. The next step was an appeal, addressed to the head of the Supreme Court of the Republic of Belarus. The Supreme Court decided to cancel the decision of Partyzanski district court, and to direct the case for the new trial by a different judge.

The new trial began on March 29, 2000. Judge A. Dziaminskaja conducted the trial in the building of Partyzansky district court. The judge immediately saw gross violation of the legislation. As I.Paltaucau, Partyzanski DDIA police officer, who had composed the protocol of detention, witnessed, he hadn't detained Scurko himself, and he couldn't say if Scurko had been really taking part in the demonstration, because he didn't see or interrogate the witnesses of detention. I. Paltaucau also drew the judge's attention to the fact that the signature on the protocol does not belong to him. The witnesses, whose names were in the protocol and in the detention report, stated in court that they hadn't detained Scurko, they had only brought him to the DDIA, the signatures on the protocol didn't belong to them, and they hadn't composed any detention reports at all.

Taking these gross violations into account, the judge forwarded the case materials to the Partyzanski district prosecutor's office for official investigation. The investigation resulted in a report, which said: "The violations, found out by the district prosecutor's office, demonstrate the incompetence of Partyzanski DDIA policemen and their neglect of the official responsibilities, as well as their incapacity to organize and conduct big-scaled and publicly and politically important proceedings". The prosecutor's office also suggested that the guilty policemen should be punished by disciplinary measures, but refused to bring a criminal case against them.

As the natural result, the judge, having studied the materials of the official investigation, decided, that "the case materials (protocol and reports) cannot be considered evidence of Scurko's guilt". And because there was no evidence – "to close the administrative case against A. Scurko for the lack of malefaction ".

This decision was made only on June 6, 2000. That means, that it took Alaksandar seven and a half months to prove his innocence. He had enough strength and patience for his struggle, but how many innocent people are unjustly punished!

Information department of HRC "Viasna"

"...TWO PIECES OF GRANITE ARE SUBJECT TO DESTRUCTION"

THE COURT DID NOT ISOLATE MIKOLA STATKIEVIC AND VALERY SHCHUKIN FROM SOCIETY, BUT IT DID ISOLATE THEM FROM ELECTORATE...

As a rule, the courtrooms significantly lack space on the days of sentencing on political cases. The policemen don't let the "unwanted", to their mind, people into the room because of the "lack of chairs". It happened this time again. It was only due to captain Shchukin's firmness that all the journalists and sympathizing citizens, who came to support Mikola Statkievic and Valery Shchukin, could be present in the courtroom. Valery declared that he would be the last one to come into the room, he would take his seat only after all the journalists were inside, and he did keep his word. His declaration was so ultimatistic, that police lieutenant colonel decided to let everybody in.

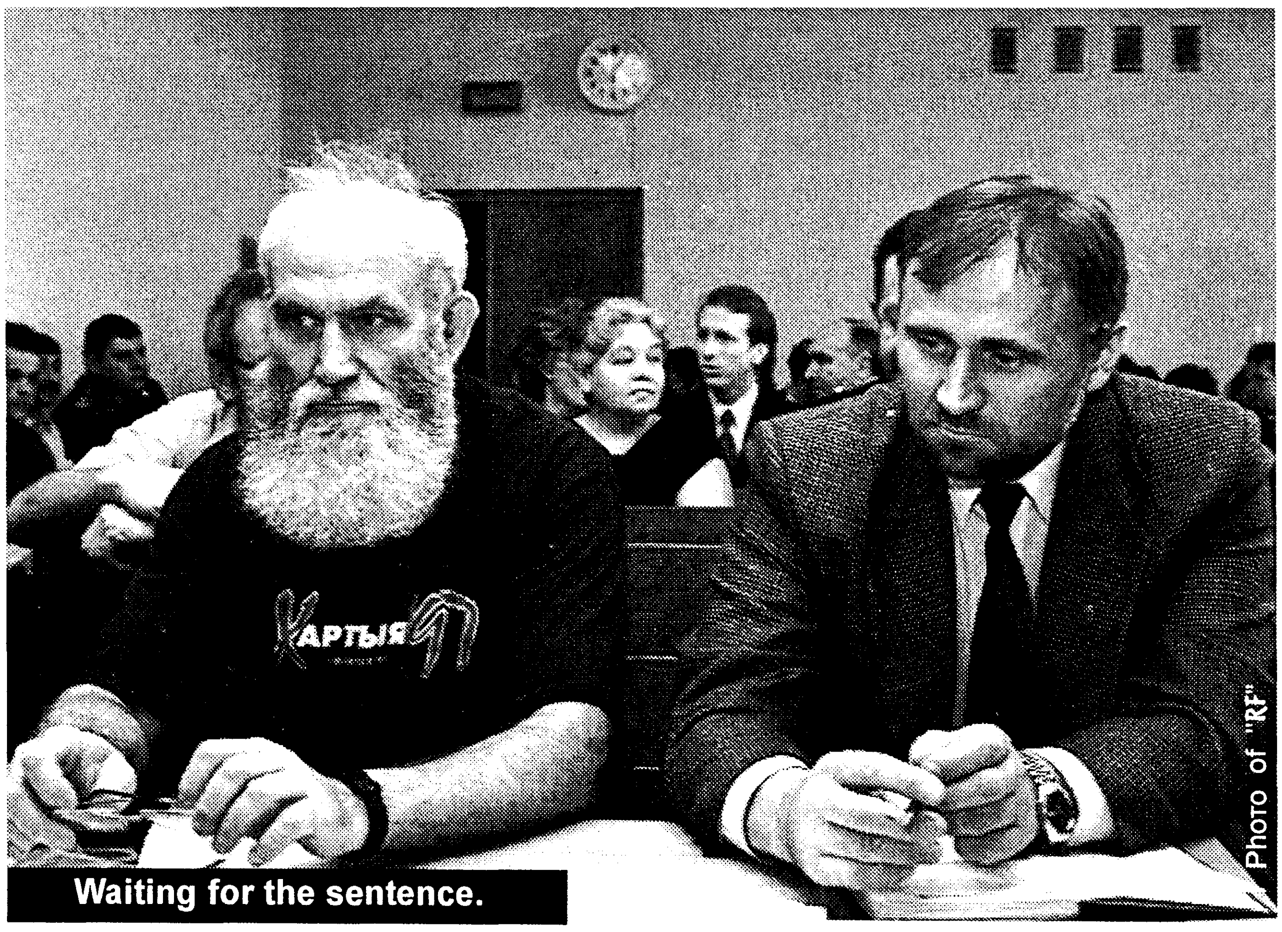
Many foreign diplomats came to hear the sentence. The presence of three European Parliament structures representatives just added to the picture. Who knows why Belarusian authorities stretched out Statkievic and Shchukin's process to the visit of Mr. Severin and colleagues? It's possible that Lukashenka wanted to demonstrate the result of the trial of his opponents as the mildness of Belarusian justice.

We should also mention that both the journalist and the leader of one of the biggest political parties received suspended sentences. M. Statkievic is now conditionally sentenced to 2 years in prison (and is not supposed to "change his place of living", must periodically register with the police, etc.) Shchukin got a two times smaller sentence: a year of prison, suspended for one year. As it happened, Judge Ihar Krot had to free Shchukin from one item of a charge. Moreover, Statkievic was charged with activities, connected with two different actions of opposition. He was incriminated offence on opposition actions on July 27 and October 17 of 1999, his associate was incriminated only one offence –the events of "March of Freedom—1". The authorities could have tried to charge Shchukin with the events of the "Independence Day", if they wished. Shchukin never misses any actions of opposition. But, unfortunately for them, he was in custody on July 27.

Initially, both politicians were charged by the terms of article 186-3 of the Criminal Code ("organization and active participation in group activities that grossly violate the public order"). It dealt with two unauthorized demonstrations. During the demonstration, devoted to the Independence Day, the demonstrators tried to break through a row of policemen, and a clash between police and demonstrators took place. Actually, in January of 2000 a young oppositionist Jauhien Asinski was conditionally sentenced for participation in this very action. Statkievic had been temporary left in piece, his case developed into a separate one. It became clear that Statkievic would not avoid a trial after the daring demonstration of non-compliance by 30 thousand of Belarusians and mass fight with police on October 17. Though, it doesn't explain why the authorities chose Shchukin out of dozens of the detained oppositionists, to judge him together with Statkievic. The only criteria of such choice were his activity and popularity among opposition-minded citizens.

By the way, both Statkievic and Shchukin had been already administratively punished for participation in these demonstrations. Nonetheless, they were punished for the second time, at the same time the city court cancelled the decisions of the district courts sentencing them to the administrative imprisonment, which they had already served (!). It is even more absurd, due to the fact that Statkievic and Shchukin admitted themselves guilty neither earlier, nor this time.

The trial started on the eve of another opposition action – Chernobyl Way – on April 24. In the beginning there was a problem with the prosecutor, who suddenly got sick, and, as it often happens on the trials like that, with the language of the procedure. Mikola Statkievic requested to conduct a trial in Belarusian language. Prosecutor Valery Pak didn't support his request. The judge permitted the leader of Social Democrats to use the interpreter in the case of necessity. When the judge started reading the accusation out, Mikola Statkievic interrupted him, saying, "he does not understand foreign languages when he is anxious".


Waiting for the sentence.
Photo of "RF"

The events of July 27 didn't raise many questions from the courtside. Mikola Statkievic could be clearly seen on the videotapes, recorded on that day by the guys in civil clothes. On the tapes, provided by police, one could see Statkievic walking in the head of the column, and carrying a megaphone. Statkievic himself didn't deny the fact, that he led the people from Jakub Kolas Square, the place, permitted by the authorities along another unauthorized route. There was an argument about the fact, whether Statkievic suggested that people should go from the square. The policemen witnessed that the fact took place. Statkievic insisted, that first he asked the people if they agreed to celebrate the great day of Independence by submission to the ban of the demonstration. People didn't agree. This fact resulted later in the statement about extraordinary organizational abilities of Mikola Statkievic, recorded in the court sentence. The court did him justice, so to say...

Mikola Statkievic reminded the court that the Independence Day demonstration took place 6 days after the end of presidential term of Lukashenka. "If Lukashenka suddenly adopted a law about absolute prohibition to walk the streets with a hat on (capital punishment for violation), would you still execute it?"— asked Mikola the prosecutor and the judge.

Consideration of the episode, dealing with the events of October 17, evoked a lot of emotions and great interest, just as it was expected. About 100 witnesses and the aggrieved were interrogated (about 60 people were the troopers of the Special Forces of the Ministry

of Internal Affairs). The soldiers on term active duty often got mixed their testimonies. Some of them tried, so to say, to stand neuter. For instance, on the question, if the demonstrators really abused the Special Forces troopers, one of the witnesses answered "It was very noisy there, I didn't hear anything". The soldiers started to take back their applications for moral loss compensation, which they had written during the case investigation. During the break I came up to them and wondered, what made them do that, if they really consider themselves aggrieved. The exchanged a look, and answered: "The term of our service ends in several months – do you think we cannot earn enough money in civil life?" The soldiers say, they don't take offence at the demonstrators.

Nonetheless, some of the soldiers were eager to help the judge. For example, several people (both soldiers and policemen) stated that when the column of demonstrators got close to them, they saw "many drunken people", and even... smelt alcohol. "Thus I am also accused of organizing a huge drinking party" – concluded Valery Shchukin. He requested to make to make inquiries about the number of drunken people, detained after the March of Freedom. Prosecutor Halina Hancarova argued: "It shouldn't concern the defendants, the charge does not contain a word about the drunken". The accuser gave the official number of the people detained on October 17: 94 people were brought to police stations, 90 protocols of detention were composed, 55 people went through trials accused of the violation of the Code of Administrative Infringements.

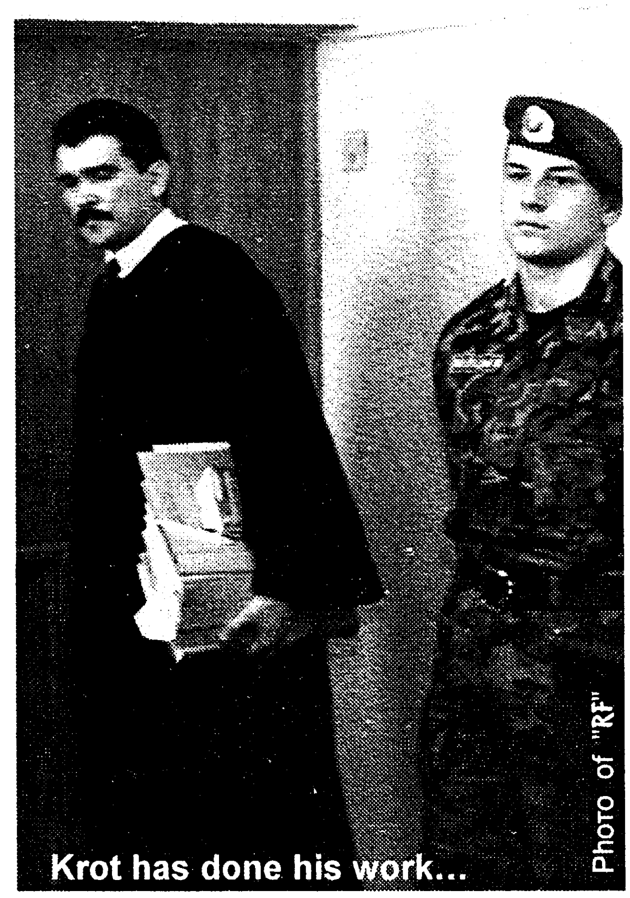
Valery Shchukin and his public defender Uladzimier Nisciuk also requested to add the Law on police to the case materials and to publish the orders, according to which the troops of Special Forces and police had gone out on the streets that day. This request was denied as well. The prosecutor threw out a hint that such documents might be a state or military secret. The judge said that such information does not have anything to do with the considered case (e.g. mass actions of opposition). The logic is hard to understand — no wonder for Belarusian situation.

As it could be foreseen, no one of policemen told the court about the moment the fight had started. It is known, that all started from police and Special Forces' attack on the demonstrators. It happened at the moment, when the crowd was dispersing, people going away with their backs to the troops. Some soldiers think that their attack was done for the good of the people. "If we hadn't broken up the crowd, the people would have simply killed here. That though came to my mind when I was watching a movie, made by Belarusian television" – a 2-year-old Special Forces trooper says. Many of his colleagues learned a good lesson out of the events – they finally realized what feelings they evoked in many Belarusian children and women, whose peace they defend so diligently. Some witnesses said they hadn't seen Statkievic and Shchukin, because they had had the helmets on, and couldn't see anything through the muddy glass of the ventails. One more interesting thing: one witness thinks, that the stones thrown by the demonstrators, hit the uniformed guys on the legs because of... the order to run forward, which they received from their commander.

Certainly, the court was not at all interested in such insignificant details: the main goal was to convict the famous opposition leaders, save God from acquitting them! The court didn't trust the witnesses, who were the participants of the demonstration. As the judgement says, all of them were detained and could take offence at police. By the way, these people told the court about their detentions On July 27 and October 17. A regular situation would demand to separate these facts into a different case in order to punish the policemen who violated the legislation, what could be a good lesson for the others. It's not improbable, that if such investigation of all circumstances had taken place, it would have proved the version of the military provoking the fight. Actually, Belarusian mass media have published dozens of articles on that topic. You could also read this in our bulletin (see the sensational confession of lieutenant senior Aleh Baturyn in "The Right to Freedom", #3, 2000").

During the case consideration, the proceeding participants watched the material, recorded on 7 videotapes. During viewing one of the tapes, the scenes of the demonstration suddenly changed into a pornographic movie. Probably, the police lack the tapes, and the guys had to sacrifice their favorite movie. We will be able to clarify that only in some number of years, when the history of Lukashenka regime is studied and archives are open for exploration. According to the court decision, "the material evidence (7 videotapes) is to be kept together with the criminal record". Something is also said about other material evidences: " Two pieces of granite are subject to destruction". This quotation about the granite, especially about the two pieces sounds very symbolic. Valery Shchukin and Mikola Statkievic behaved themselves as two granite rocks resisting the devastating storm. Because of their firmness, the authorities think, they are "subject to destruction" as politicians, who are able to compete with Lukashenka's favorites during the parliamentary elections and with Lukashenka himself, during the elections for a post of the President.

The court freed Shchukin from one point of a charge: about the organization of the unauthorized demonstration on October 17. In addition to that the court refused to satisfy the civil suits about compensation of moral and material losses. Although Miensk Prosecutor Kupryjanau, Miensk state planting company and City Department of Internal Affairs have a chance to get the compensation they demand – their suits are developed into a separate case. At the same time Miensk city electric transportation company will not be compensated the cost of the tram broken window and the national hospital of the Ministry of Internal Affairs will not get the money for medical treatment of several policemen. It wasn't proved that it had been Shchukin and Statkievic, who threw stones at policemen and tram windows. Moreover, "there is no evidence found, that making such damages was included in their plan" (a



Krot has done his work...

Photo of "RF"

quotation from the sentence). The City Prosecutor failed in his attempt to father the helmets, shields and sticks, which had disappeared, as well as a police jacket torn into pieces, upon Shchukin. The judge had to acknowledge the lack of evidence, that the defendant had had any link with those losses.

However, all those facts didn't prevent the judge from a decision to make the defendants compensate the losses of trams and trolleys' idle time on the days of the demonstrations. The Independence Day will cost Mikola Statkievic 8055 rubles, and the March of Freedom will cost 83250 for both of them. Taking inflation into account, as it is added in the judgement. Adding the litigation fee to the sum, the defendants have to pay about 100 thousand Belarusian rubles, which equals $ 100.

Adrian Severin, special reporter of OSCE on Belarus issues, who was present during the announcement of the sentence, was short in his evaluation of the situation: "It's the first time I see politicians, who suffered so much from a regular street demonstration". Adrian Severin and other representatives of the EP declared, they would put the issue of re-considering that political case on the agenda of the discussion about the perspectives of Lukashenka's government and opposition negotiations. The discussion, on its turn, is supposed to create a situation, fostering the trust atmosphere, necessary for parliamentary elections.

So, the authorities gradually clear the political ground before the fall parliamentary and spring presidential elections. Here the criminal sentences to the most popular political activists (according to Lukashenka's legislation, the people, who were once convicted, cannot run for Parliament or any other official post) should be complemented by disappearances and mystic deaths of politicians, as well as by forced emigration. Finally, we come to a striking picture: absolute majority of Lukashenka's opponents is not able to oppose him anymore...

Taciana SNITKO

EVENTS FACTS COMMENTS

(continued from p.1)

On June 14 (just before the "troika" of European Parliamentary structures visited Belarus) Belarusian state mass media published the words of Siarhiej Posachau. Lukashenka's assistant accused the head of the Consultative-Observatory Group of OSCE in refusal to meet with all 18 registered political parties and to participate in the session of public and political dialogue. After that, the Consultative-Observatory Group of OSCE made a declaration, which says: "The top-ranked representative of the President's Administration has initiated a diplomatic incident. In the practice of international relations it is unacceptable to apply pressure on the diplomatic collocutor or organizer of the meetings in the threatening manner in connection with the details of the visit of a high-ranked international delegation. According with the long ago established international world practice, the programs of international guests' visits are worked out by the appropriate international diplomatic mission and the Ministry of Foreign Affairs. The draft program was forwarded to the Ministry of Foreign Affairs several days ago and was not discussed as it was supposed to be". The Consultative-Observatory Group of OSCE declared that the issue of the "troika's" participation in the session of public and political dialogue was not raised during the meetings of Mr. Viek and Mr. Posachau.

On June 19 Mikalaj Statkievic, the leader of social democratic party "Narodnaja Hramada" and Valery Shchukin, a deputy of Supreme Soviet of 13th convocation, were found guilty by Miensk city court. Mikalaj Statkievic was condemned to 2 years of prison, with the sentence suspended for 2 years, Valery Shchukin – to 1 year of prison, the sentence suspended for 1 year. The sentence to the organizers of the Freedom March became a good reason for Belarusian law-enforcement authorities to start repression against the average participants of the March, even those, who were under age at the time the March took place.

The time is passing, and... Alaxander Novik, a student of professional school, turned 18 on June 18, 2000. On the same very day he was called to Miensk prosecutor's office, where he was told, that a criminal case against him was started by the terms of article 186 of the Criminal Code (organization or active participation in the group actions, which disturb the public order, are punished with up to 3 years of prison, up to 2 years of correctional labor, or a fine). Alaxander Novik appealed to the human rights center "Viasna" and told us the following: "I was detained on October 17, 1999 during the March of Freedom. After that, on October 21, I was called to the Juvenile Crime Committee and was given a fine of 1450 rubles. Now, when I am 18, they started a criminal case against me. They cancelled the decision of the Juvenile Crime Committee and decided to pay me those 1450 rubles back." On June 21 Alaxander had to sign a recognizance not to leave. The investigator states, that Alaxander can be seen on the videotape, recorded by police during the March of Freedom.

The delegation of the parliamentary "troika" of OSCE visited Miensk *on June 19-22.* As Jan Marius Virsma, the chairman of the subcommittee on Belarusian issues of Political committee of the European Parliament, stated, the visit aimed to determine the significance of the efforts applied in order to create "the necessary conditions for conducting free and democratic parliament elections in the fall of 2000 in Belarus as a basis of further democratic reformation of the country". Jan Marius Virsma remarked that the process of mutual relations between the government and opposition, as well as the public—political dialogue, initiated by Lukashenka still fail the trust of the parliamentary "troika".

On June 19 Kastrycnicki district Court cancelled the fine, Zmicier Marcul, detained during the hearing of Michail Cyhir's case, was supposed to pay. Zmicier Marcuk was detained near Minsk city court building on May 19, at about 10.30 a.m. The court decision states: "During the hearing of the sentence to Michail Chyhir, M.M. Hryb and Marcuk, being a part of the organized group, yelled, shouted the slogan "Freedom to Chyhir", disturbing by this the normal work of Minsk city and Frunzenski district courts". Aleksiajonak, the officer on duty, who didn't read the report of Hodun, police inspector, who detained Marcuk, wrote, that Marcuk "was swearing". On this ground, Hardas, police colonel, fined Marcuk with 5200 rubles (two minimal wages), by the terms of article 156 of Infringement Code. During the hearing, the court found out, that Marcuk and Hryb did not swear, but shouted "Freedom to Chyhir" (as it was written in the report of inspector Hadun, who detained them). As a result of this, Kastrycnicki district court made a decision to cancel the fines.

One year, for which the sentence on the criminal case of Jauhien Skocka was suspended, finally ended o*n June 20.* Jauhien Skocka is a vice-chairperson of Young Front. He received a suspended sentence for organization an unauthorized demonstration on February 14, 1999. The demonstration, called "Belarus – to Europe" resulted in the multiple arrests of the demonstration participants. Upon the end of the probation term, Jauhien's case was forwarded to Navabielicki district court (city of Homiel).

On June 26 Belarusian Journalist Association organized a picket in support of independent press. The picket took place on Banhalor Square.

LEFT ON THEIR OWN...

(Continued from pages 2-3)

I, Piotr M. Makaranka, took part in liquidation of the consequences of the accident on Chernobyl nuclear power station on April 26, 1986, from 7 a.m. in the capacity of a fireman. We were aware of the conditions in which we had to work and that we would live for only about one month. We even accepted our fate, but it happened so, that with God's help many people survived. On May 3, 1991, according with Law of the Republic of Belarus, due to the fact that I had worked in 10-kilometers zone and had partially lost work capacity, I received a liquidator certificate: number A#283313, article 18 from the Department of Internal Affairs of Homiel regional Executive Committee. When I came to the policlinic of the Ministry of Internal Affairs in 1993, the policlinic administration told me that I had no right to use the benefits. I appealed to State Committee on Chernobyl issues to clarify this issue. I got a written reply, that I had the rights for benefits by the terms of article 18, and the law wasn't retroactive.

Then I was called to the personnel department of the Ministry of Internal Affairs of the Republic of Belarus. They accused me of falsification of the certificate, which is proved by the letter from the Department of Internal Affairs of Homiel regional Executive Committee. I reacted quickly (or the consequences would be more tragic) and requested the Institute of Criminology of the Republic of Belarus to examine my certificate. I received a positive answer. The administration of the personnel department of the Ministry of Internal Affairs illegally took my certificate away from me, I have documented evidence of that. Eventually, the Committee of the Ministry of Internal Affairs confiscated my certificate with article 18 on April 16, 1999 (Protocol №6) and changed it for the certificate with article 19. All the above mentioned troubles caused a lot of problems in my work and private life.

According to the conclusion of National Interagency Expert Council, dated 16.10.1991, my diseases were connected with the work on liquidation the consequences on Chernobyl nuclear station. But after my retirement on medical grounds in 1999 they considered my diseases unconnected with that in reference to various instructions. The committee of the MIA policlinic decided to direct me to the NIEC, because they had found various indications of my disability, but I got a negative answer. It happens so, that in the country with the present government and the laws, which act today in the Republic of Belarus, the person, who had lot lost his health in discharge of his duties, liquidating the accident on Chernobyl nuclear station, has no compensation for the lost health and shortened life.

My wife, N. P. Makaranka, who was evacuated from a 5-kilometer Chernobyl zone, has a row of oncological diseases, underwent a surgery of thyroid ablation. The National Interagency Expert Council connected her diseases to the Chernobyl disaster, but, according to the present legislation, she doesn't have any rights for free-of-charge medical treatment. (Although the children under 18, who have the same diseases are equaled to Chernobyl invalids).

I can enumerate the examples further, but it's already enough, to my mind.

Japan, the USA, the European countries and NGOs are giving their assistance to the Republic of Belarus, but nobody knows where this help is going.

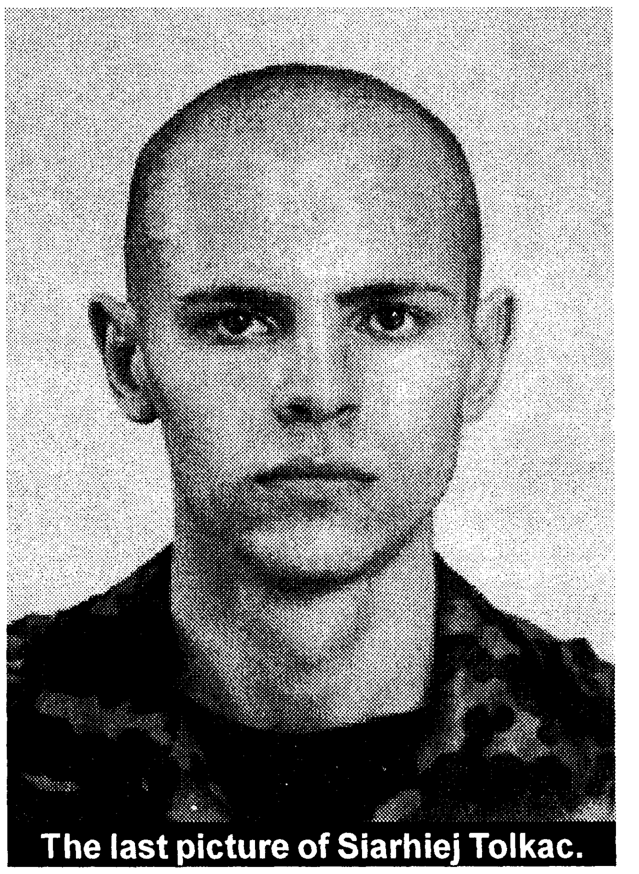
I suppose, I have the moral right, for the sake of my family and my survival, to ask for help. I ask the heads of the above mentioned countries and I also appeal to the firemen of these countries. Please, give concrete help to concrete family, and God will help you.

Piotr MAKARANKA

Prepared by Taciana REVIAKA

DEATH ON THE GUARD-TOWER

ON SEPTEMBER 7, 1999 SIARHIEJ TOLKAC, SOLDIER OF INTERNAL FORCES DIED IN MYSTERIOUS CIRCUMSTANCES



The last picture of Siarhiej Tolkac.

Siarhiej Tolkac was called up for service in internal forces on July 12, 1999. He went through his training period in the city of Baranavicy. After taking an oath Siarhiej was directed to the 3rd battalion of military unit 7404 in the town of Ivacevicy, Bierascie region. The battalion guarded the strict-security camp #5. Siarhiej Tolkac came to Ivacevicy on August 19. He died in the beginning of September.

The phone rang in Siarhiej's parents' apartment on September 7, 1999. It was the military unit calling. The parents were informed that something bad happened to Siarhiej. The mother, Halina, asked: "You mean he was beaten up?" "Yes, he was"—they replied and put down the receiver. In the evening officer Zdan, a representative of the military unit command, came to Baranavicy and told the parents, that Siarhiej had taken submachine gun from the gun-rack, put it into his mouth and made three shots...

Siarhiej lived a week after the accident. He died unconscious on September 14. According to the parents, at first the officers said that it all had happened during the guard-mount. "The reliefs were in 10 steps from the guard-tower, when they heard the shots, ran to the place and saw..."

In two days the parents came to the military unit again. This time they were told that everything had happened not during the guard mount, but 15 minutes before it – at 14-45. The parents tried to clarify: "May be it still happened during the guard mount, may be it caused some conflict between the soldiers?" Battalion commander Prysmycki answered: "Don't you believe me? I was the one, who smashed the door down!" According to the father of Siarhiej, Uladzimier, the time, which figures in the case materials, is different – 15-00. Uladzimier says: "We asked in the medical service when they had got a call. They showed us the record – 15-06. So if the officer told us the truth that means that our son lay there dying for 20 minutes. The hospital is close to the military unit. Why did they call the medical service so late? What was going on there?"

The circumstances and the development of events should have been clarified by investigation. However, the guard-tower, where it all had happened, was destroyed the very next day. Even sooner, perhaps, for the very first evening the mother was shown only two boards from that tower. One board had the scars of bullets on, another one was from the windowsill, and had an inscription: "The one, who survived, will be happy; the one, who died, is happy already". They state that Siarhiej made the inscription. The same inscription was on the sheet of paper, found in Siarhiej's notebook. But the parents state that it was not Siarhiej's handwriting... The investigation considers these words the dying note of Siarhiej. But such inscriptions are more common for the surrounding, where Siarhiej had to serve: this is a typical inscription of prison folklore...

The parents wanted to visit the place, where their son had died. "We came to the battalion the next day to see the guard-tower, in order to be sure that everything had happened just as the commander told us. But there was no tower anymore..." – recalls the mother. The officers explained that some "powers of darkness" acted on the tower, because another soldier (Andrej Maskalenka) also died on that tower several years ago, in alike circumstances ("The Right to Freedom" informed the reader about that accident. The soldier from Homiel also died in mysterious circumstances). Colonel Alaksandar F. Shalik told the parents: "We invited a priest, consecrated the tower and burnt it". However, the investigation materials say that the priest was not invited. They wanted to invite him, but he was not at home, and they didn't manage to find him. The unit command sent the written reply: "the guard-tower made a negative impact on the moral and psychological condition of the soldiers. That's why it was demounted and destroyed". Siarhiej's father thinks that the tower could be destroyed only after the previous investigation was finished. This was the place, which could have helped to reenact the events. Now these hasty actions look like covering the tracks... On March 7, 2000 S. Novik, investigator of Baranavicy military prosecutor's office decided to close the case. He wrote in his resolution: On September 7, 1999 at 12-00 S. Tolkac took over the watch. At 15-00 he reported the head of the guard the results of the service via telephone. After that, sitting on a stool, he took a submachine gun, put it into his mouth and made a row of shots, which caused penetrating head wound. He was brought to Ivacevicy district hospital, where he died unconscious on September 14, 2000".

From witnesses' testimonies: "During interrogation battalion commander Prysmycki testified that at about 15 o'clock, being in the guardroom, he was informed by the guard of control panel, that the gun-rack on post 9 was unblocked and the guard of that post did not react to the signals. The decision to quickly move towards the post was made. When they came there Prysmycki, assisted by head of the guard Jafimcyk and commander of guard platoon Achvandzierau, broke the door and got inside. Tolkac was sitting on a stool, there was blood on face. The submachine gun was between his legs, with its barrel up. Besides that, there were 3 fired cartridges on the floor, one could see 3 shot hole on the ceiling. Prysmycki quickly took the submachine gun from the hands of Tolkac and discharged it".

The investigator thinks the young soldier committed suicide, "realizing his faith in life after death" by doing so. The father does not agree with the investigator's conclusions, he doesn't see the logic and is sure that the officers hide the truth. He thinks that the investigators know, or at least guess, what really occurred there. That's why they "don't pay attention" to the range of nonconcurrencies and inaccuracies.

It's worth mentioning that before Siarhiej could receive weapons, he had been examined by the unit psychiatrist, and was diagnosed healthy. However, the post-mortem "supplementary psychological—psychiatric expertise "showed", that Siarhiej Tolkac exhibited indications of terminal disruption of psychic activity".

One can discourse on the real reasons of Siarhiej's death for a long time. Let us not exercise the functions of investigative agencies, we have no right for that. The parents believe that their son is a victim of unstatutable relations.

This story does not have an end yet. Investigator Novik received two disciplinary punishments and doesn't work in the military prosecutor's office anymore. Bierascie military court decided "to leave the parents' appeal unsatisfied and to make no changes to the resolution about the closing of the criminal case, made by the investigator of the military prosecutor's office on March 7, 2000".

Bierascie court came to the conclusion, that "nobody taunted Tolkac into committing suicide, he did it on his own will. He shot himself to death with a submachine gun".

The Tolkacs did not agree with the decision of Bierascie court. At the present moment the case is directed for reconsideration.

Prepared by
Palina SCIEPANIENKA

SIARHIEJ PJANYCH:

NON-FREEDOM DAY

NOTES OF THE WITNESS OF THE EVENTS OF MARCH 25, 2000 IN MIENSK

In the morning of March 26 we were ordered to receipt the food in the detention center. I refused to do that and went on a hunger strike. I did that, because all the detained didn't get any food for at least 20 hours. In half an hour they brought us tee and porridge. They also gave us spoons with normal, unbroken handles, due to the "Prisoner's Universities" by Valery Shchukin, perhaps. We also got soup and porridge with schnitzel for dinner. Everybody's eyes popped with amazement – nobody expected such food here. Later somebody proposed a version that it was cooked for us especially. By the way, our wives brought us food and clothes, but the temporary detained people are not allowed to take them.

On Monday of March 27 everybody woke up early, about 7 o'clock, looking forward to the trials. But nobody either came to take us to court, or feed us till noon.

At about 2 p.m. they started to take us from the cell one by one and return the confiscated stuff. Having squeezed about 20 people in the police van, they drove us to Saviecki district court.

(The end.
See beginning in №10-11)

THE TRIAL

We came right on the lunch break. The policemen drove us back. We spent a couple of hours in the cell. At 4 p.m. we were taken back to the court. I had to wait for my turn in the police van for about an hour. About 5 p.m. I was brought to judge Aksana Relava. The trial began. After my clarifications, the policemen were called as witnesses. They got mixed in their testimonies, they said that they had detained me near philharmonic at 12-20, because I shouted anti-presidential slogans out, for example, "Long live Belarus!" Sviatlana Harbatok, attorney, requested to call my witnesses Jauhien Lemies, Ulazimier Illukievic and Ryhor Gitlic to the trial. The trial was postponed to March 30.

In the morning of March 29 I went to Saviecki district prosecutor's office, where I wrote an appeal, that I was beaten up when detained. Then I underwent the medico-legal examination, they recorded battery and directed the results to the prosecutor's office...Then I went to the court to witness in the case of Ryhor Gitlic. His case was immediately closed for the lack of offence.

On March 30 at 10-00 I was in court again. The new police witness appeared – senior lieutenant Smirnou. He stated that I had been detained near philharmonic, but at 13-00. Judge Relava looked through the videotape, recorded by police 25.03.2000 between 11-45 and 13-00, and didn't see me there. She closed the case for the lack of offence. Having looked through the videotape, I drew the following conclusions:

— There were at least 5 cameras recording the small bandbox near philharmonic and "Stalicny" supermarket;

— There were no that many demonstrators there. The crowd, which was ordered to disperse, consisted of passers-by, observers, interested citizens and policemen themselves;

— The scenes of police detaining journalists were excised;

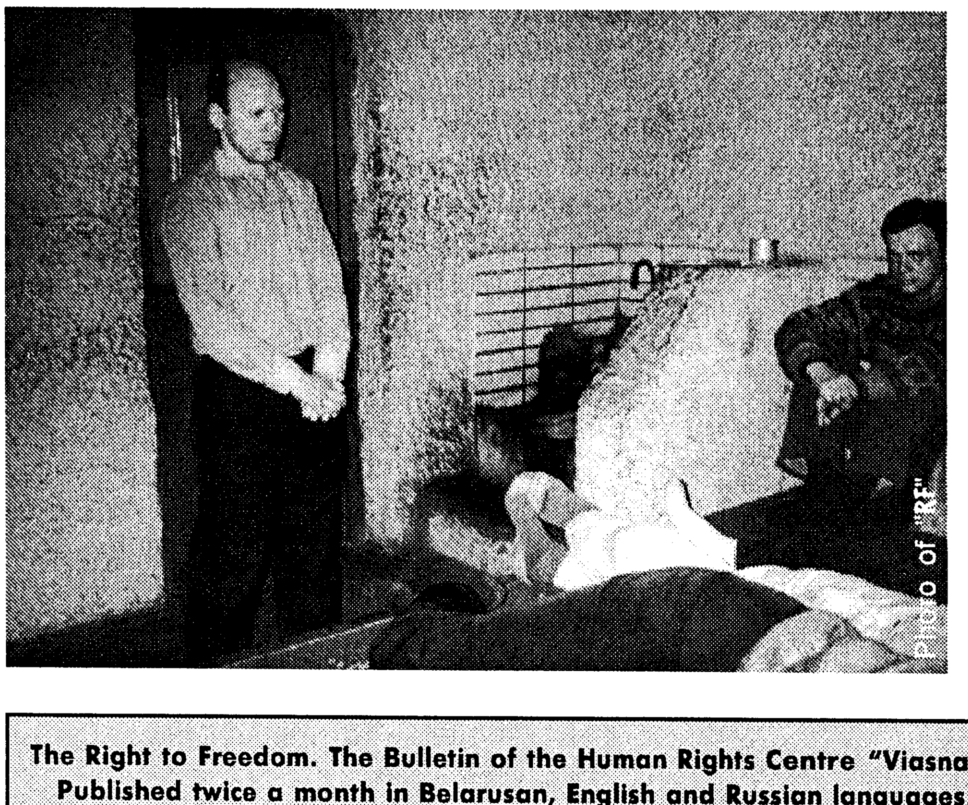
— There were about 10 people detained during that time.

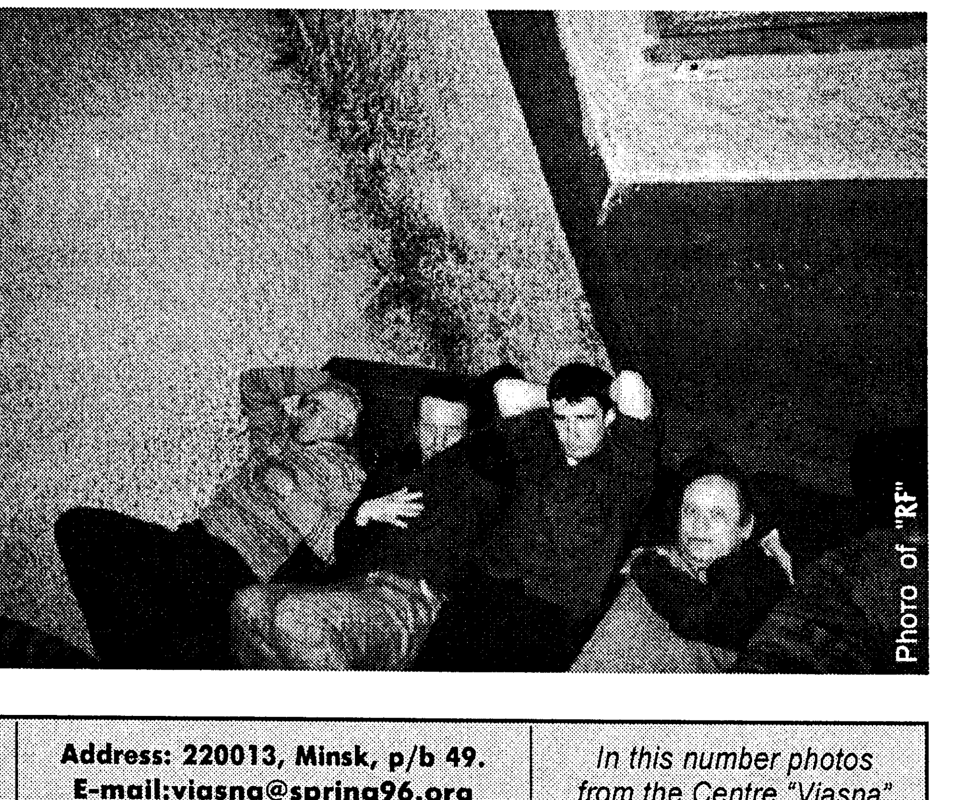
I also saw the 4 people in uniform beating Jury Bielenki with their sticks and 5 sturdy policemen didn't let the old women to sit on the benches.

AFTERWORD

To cut the story short, I was detained and beaten up by policemen far from the place of the meeting on March 25. The bruises ached for over a month. My name is now on the bad record in KGB and Ministry of Internal Affairs. I had to spend more than two days in the detention center. For about two weeks I had to participate in various trials – as a defendant and a witness. I demanded to open a criminal case against the policemen, who exceeded their authority. Saviecki district prosecutor's office replied only on May 2. The reply says: " district prosecutor's office examined your appeal. In accordance with examination results you are denied. The criminal case will be not developed because of the lack of offence". Sincerely speaking, I didn't expect something different. Only naive person can hope for justice in our country.

One more important conclusion: the devil is not so black as he is painted. The authorities fail to threaten the people, who chose to oppose them, by arrests and trials. Having been beaten up, having spent some days in jail, we are not afraid anymore. Only the first time is scary.





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